## **Notice of Agency Rulemaking Proposal**

AGENCY: Department of Health & Human Services - Maine CDC Children's Licensing and Investigations Program

CHAPTER NUMBER AND TITLE: Rule for the Licensing of Family Child Care Providers (10-144 C.M.R., Ch. 33)

**PROPOSED RULE NUMBER** (leave blank; to be assigned by Secretary of State):

**BRIEF SUMMARY:** The proposed changes repeal and replace the Rules for the Certification of Family Child Care Providers and refocus, clarify and streamline minimum health and safety standards for the licensing of family child care providers, who are licensed to care for children in their own homes. They include removing obsolete definitions, while adding and clarifying other definitions for terms necessary for the rule; streamlining and clarifying requirements for license applications; clarifying the Department's inspection and investigation procedures of licensed family child care providers; unifying and streamlining record-keeping requirements into one section; changing staff/child ratios, by allowing family child care providers to exclude their own children from the staff/child ratio calculation; reframing the order and language of the rule to more clearly describe provider licensing responsibilities; clarifying requirements for providers caring for children in swimming and wading settings; and increasing transparency in the enforcement process, by more clearly describing each step involved. The Department eliminated requirements for personal references, allowed providers to count first aid and CPR training in annual training hours required, eliminated the provisional license, reduced the number of fire drills required, and eliminated the drafting of specific policies that extended beyond baseline health and safety requirements.

**Date, time and location of PUBLIC HEARING** (*if any*): Monday; May 8, 2017; 9:00 a.m. Augusta Armory, 179 Western Ave, Augusta, ME

**COMMENT DEADLINE:** 5:00 pm May 18, 2017

CONTACT PERSON FOR THIS FILING: Jonathan Leach, 286 Water Street, 11 State House Station, Augusta, ME 04333-0011;

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**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** (*if any*): These rule changes pose no fiscal impact to counties or municipalities.

STATUTORY AUTHORITY FOR THIS RULE: 22 M.R.S. §§7702-B(11), 7703(6), 7704, 7707(3), 7802(7), 8301(8), 8302-A(2), 8303-A(1)

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

## **AGENCY WEBSITE:**

http://www.maine.gov/dhhs/mecdc/http://www.maine.gov/dhhs/mecdc/dlrs/Licensing/children/daycare-nursery.html

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: Tera Pare, J.D.: tera.pare@maine.gov

* Check one of the following two boxes.
☐ The summary provided above is for publication in both the newspaper and website notices.
$\Box$ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary
is attached for inclusion in the rule-making notice posted on the Secretary of State's website. Title 5 $\$8053$ , sub- $\$3$ , $\P D$ & sub- $\$6$
Please approve bottom portion of this form and assign appropriate AdvantageME number.

<b>APPROVE</b>	D FOR PAYMENT		DATE:				
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